



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/446,425

12/20/1999

CHRISTOPH CAPELLARO

P99.2497

2302

21171

7590

01/11/2006

STAAS & HALSEY LLP

SUITE 700

1201 NEW YORK AVENUE, N.W.

WASHINGTON, DC 20005

EXAMINER

PICH, PONNOREAY

ART UNIT

PAPER NUMBER

2135

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/446,425

Applicant(s)

CAPELLARO ET AL.

Examiner

Ponnoreay Pich

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 28-60 are pending. Any objections or rejections not repeated below for record are withdrawn due to applicant's amendments and/or arguments. Any prior art statements not argued by applicant are taken as admittance of prior art as per MPEP 2144.03.

Response to Amendment

Applicant's amendments to the specification and to claim 32 have been noted.

Response to Arguments

Applicant's arguments filed 10/6/2005 have been fully considered but they are not persuasive.

Applicant argues that Wasilewski does not teach subjecting the encoded message to at least one cryptographic process as per line 5 of claim 28. Applicant states that applicant's claimed invention subjects the encoded message (claim 28, line 5) to further (cryptographic) processing while Wasilewski extracts the message first. The examiner respectfully submits that the limitation of "subjecting the encoded message to at least one cryptographic process..." is much broader than applicant seems to be arguing. There is nothing in the recited claim which prohibits "at least one cryptographic process" from including the steps of first extracting the encoded message and then encrypting the extracted message. Extracting the encoded message and then encrypting it reads on "subjecting the encoded message to at least one cryptographic process". The examiner assumes applicant's arguments are colored from what is disclosed in the specification. However, applicant is reminded that although the claims

are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

On p17, lines 8-16, of arguments submitted, applicant remarked that the prior office action only addressed the arguments regarding the requirements for the applicant to pay fees because the office action of 2/9/2005 was improperly made final and that the only response to the substantive arguments in the 6/9/2005 amendment was to replace Pfaff with the combination of Wasilewski and Valizadeh. Applicant states that though the examiner failed to admit that Pfaff was improperly used in the previous rejections, because the references were changed, this speaks for itself. Though these remarks are not arguments per se, the examiner wishes to address these comments to clarify the record so that it does not appear that the Office is engaging in improper activities. In response to the seeming lack of response to applicant's arguments to rejections in the prior office action, the examiner first notes that prior office action (dated 7/6/2005) was written in response to the set of claims of 6/9/2005. Examining the set of claim of 6/9/2005, amendments to at least one independent claim can be plainly seen which changes the scope of the claims. The examiner noted amendments to the claims in the Response to Amendment section of the prior office action and stated that new rejections will be made as necessary. Any arguments applicant may have had in regards to these amended claims were moot in view of the new rejections and the examiner's new rejections in response to these amendments is a proper response. Further, the change from the use of the Pfaff reference doesn't say anything because as the examiner

explained on page 4 of the prior office action, RCE fees were paid and the examiner would be examining the application as if it was a new case. As the current examiner took the case over from a previous examiner, the examiner does not believe it is that difficult to believe that in examining the case, the current examiner would have a different understanding and/or interpretation of the claim language than the previous examiner and would choose to apply a different set of art to the rejections than the previous examiner based on the current examiner's interpretation of the claim language. This in no way shape or form implies that the previous examiner's interpretation of the claim language is less valid, however. Applicant states that the Pfaff differed from the claimed invention for the same reasons that the Wasilewski differs from the claimed invention, i.e. they both extracts/decodes the message before subjecting the message to at least one cryptographic process. However, as pointed out above, what is recited in the claim is broader than applicant is arguing and had the examiner chosen to do so, the Pfaff reference could have still been applied to the limitation of "subjecting the encoded message to at least one cryptographic process" since this limitation is broader than what applicant is arguing.

As per claim 29, applicant argues that it is not clear that Wasilewski teaches the processor 198 decodes "the inversely cryptographically processed message ... according to the encoding format of the network protocol used in said decoding of the cryptographically processed message (claim 29, last three lines)". Applicant argues that the operations of claim 29 are the inverse of the operations performed in claim 28 and that since Wasilewski does not teach that the transport packets are encrypted without

Art Unit: 2135

decoding, there is no reason to believe that after decryption, further decoding is necessary. As the examiner pointed out in claim 28, the language of claim 28 is broader than applicant is arguing and "at least one cryptographic process" also reads on decoding prior to encrypting. Further, col 23, lines 24-32 of Wasilewski discloses MPEG-2 transport packets being processed for playback on a presentation device. MPEG-2 is an encoding format and because Wasilewski discloses MPEG-2 "transport packets", he discloses that MPEG-2 is also a transport format/protocol. To be able to display on the playback device, further decoding to the transport packets must be done.

The rest of applicant's arguments are to state that claims should be allowed either because of dependency or because of similar reasons set forth for claims 28 and 29. These arguments are moot as applicant's arguments for claims 28 and 29 are traversed.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 28, 35, 29, 30, 39, 42, 50, 40, 51, 41, 43, 45, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski et al (US 5,870,470) in view of Valizadeh et al (US 5,678,006).

Claim 28:

Wasilewski discloses a method for encoding a digital message, the method comprising:

1. Encoding the digital message by a first application to form an encoded message via employment of an encoding format of a network protocol (col 6, lines 19-26 and col 7, lines 12-15).
2. Subjecting the encoded message to at least one cryptographic process to form a cryptographically processed message (col 6, lines 19-26 and col 7, lines 29-37).
3. Encoding the cryptographically processed message via employment of the encoding format of the network protocol (col 6, lines 19-26 and col 7, lines 51-54).

Wasilewski does not explicitly disclose the method for encoding a digital message **on a computer**, the first application **executing on the computer**, and a **proxy agent application executing on the computer**.

However, the examiner notes that it is obvious and common practice to have encoding and cryptographic processing of digital messages done on a computer via some sort of application executing on the computer. One of ordinary skill would be motivated to do so as it is common practice in the art.

Further, Valizadeh discloses a proxy agent application executing on a computer (col 3, lines 22-29). Note also that Valizadeh explicitly discloses an agent can be an application (col 1, lines 56-59).

In light of the above, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have modified Wasilewski's invention according to the limitations recited in claim 28. One of ordinary skill would have been motivated to incorporate Valizadeh's teachings because he discloses that his teachings can simplify the development and maintenance of a network node (col 2, lines 27-31).

Claim 35:

Wasilewski does not explicitly disclose wherein the network protocol is a simple network management protocol version 1. However, Valizadeh discloses the network protocol is a simple network management protocol version 1 (col 3, lines 16-18). One of ordinary skill would be motivated to combine Wasilewski and Valizadeh's teachings for the same reasons given in claim 28.

Claim 29:

Wasilewski discloses a method for decoding at a computer an encoded, cryptographically processed message that is present in an encoding format of a network protocol, the method comprising:

1. Decoding at the computer the encoded, cryptographically processed message according to the encoding format of the network protocol to form a decoded, cryptographically processed message (col 5, lines 34-38 and col 23, lines 1-5).

2. Subjecting the decoded, cryptographically processed message to a second cryptographic process inverse relative to at least one first cryptographic process, which previously encoded an original digital message, to form an inverse cryptographically processed message (col 23, lines 9-23).
3. Decoding the inversely cryptographically processed message by another application executing on the computer according to the encoding format of the network protocol used in said decoding of the cryptographically processed message (col 23, lines 24-32).

Wasilewski does not explicitly disclose a proxy agent application executing on the computer. However, Valizadeh discloses a proxy agent application executing on a computer (col 3, lines 22-29). Note also that Valizadeh explicitly discloses an agent can be an application (col 1, lines 56-59).

In light of the above, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have modified Wasilewski's invention according to the limitations recited in claim 29. One of ordinary skill would have been motivated to incorporate Valizadeh's teachings because he discloses that his teachings can simplify the development and maintenance of a network node (col 2, lines 27-31)

Claim 30:

Wasilewski discloses a method for encoding a digital message, for transmitting the digital message from a first computer unit to a second computer unit and for decoding the digital message, the method comprising:

1. Encoding the digital message, by a first application, to form an encoded message via employment of an encoding format of the network protocol (col 6, lines 19-26 and col 7, lines 12-15).
2. Subjecting the encoded message to at least one first cryptographic process to form a cryptographically processed message (col 6, lines 19-26 and col 7, lines 29-37).
3. Encoding the cryptographically processed message via employment of the encoding format of the network protocol used to produce the encoded message to form an encoded, cryptographically processed message (col 6, lines 19-26 and col 7, lines 51-54).
4. Transmitting the encoded, cryptographically processed message from the first computer unit to the second computer unit (col 22, lines 62-65).
5. Decoding the encoded, cryptographically processed message, in the second computer unit, according to the encoding format of the network protocol to form a decoded, cryptographically processed message (col 5, lines 34-38 and col 23, lines 1-5).
6. Subjecting the decoded, cryptographically processed message to a second cryptographically process inverse relative to the at least one first cryptographically process to form an inversely cryptographically processed message (col 23, lines 9-23).

7. Decoding the inversely cryptographically processed message, by a second application in the second computer unit, into the digital message according to the encoding format of the network protocol (col 23, lines 24-32).

Wasilewski does not explicitly disclose the first application **in the first computer unit, a first proxy agent in the first computer unit**, the encoding is done **in the first computer unit**, and **a second proxy agent in the second computer unit**.

However, the examiner notes that it is obvious and common practice to have encoding and cryptographic processing of digital messages done on a computer via some sort of application executing on the computer. One of ordinary skill would be motivated to do so as it is common practice in the art.

Further, Valizadeh discloses a proxy agent application executing on a computer (col 3, lines 22-29). Note also that Valizadeh explicitly discloses an agent can be an application (col 1, lines 56-59).

In light of the above, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have modified Wasilewski's invention according to the limitations recited in claim 30. One of ordinary skill would have been motivated to incorporate Valizadeh's teachings because he discloses that his teachings can simplify the development and maintenance of a network node (col 2, lines 27-31).

Claim 39:

Wasilewski discloses an apparatus for encoding a digital message, the apparatus comprising:

1. Means for encoding the digital message via employment of an encoding format of a network protocol by an application to form an encoded message (col 6, lines 19-26 and col 7, lines 12-15).
2. Means for cryptographically processing the encoded message to form a cryptographically processed message (col 6, lines 19-26 and col 7, lines 29-37).
3. Means for encoding the cryptographically processed message via employment of the encoding format of the network protocol used to produce the encoded message (col 6, lines 19-26 and col 7, lines 51-54).

Wasilewski does not disclose a proxy agent. However, Valizadeh discloses a proxy agent application executing on a computer (col 3, lines 22-29). Note also that Valizadeh explicitly discloses an agent can be an application (col 1, lines 56-59).

In light of the above, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have modified Wasilewski's invention according to the limitations recited in claim 39. One of ordinary skill would have been motivated to incorporate Valizadeh's teachings because he discloses that his teachings can simplify the development and maintenance of a network node (col 2, lines 27-31).

Claim 42:

Wasilewski does not explicitly disclose wherein the means for encoding the digital message is further provided as the means for encoding the cryptographically processed message. However, Wasilewski discloses that the second network protocol used to encrypt the message the second time may be the same as the first network

Art Unit: 2135

protocol (col 6, lines 32-34). Reusing an encoding means was not only known at the time the applicant's invention was made, it was also obvious. In light of this, it would have been obvious to one of ordinary skill in the art to have modified Wasilewski and Valizadeh's combination invention according to the limitation recited in claim 42. One of ordinary skill would have been motivated to do so as component or means reuse results in a less costly system.

Claim 50:

Wasilewski does not explicitly disclose wherein the network protocol is a simple network management protocol version 1. However, this limitation is obvious to the combination invention of Wasilewski and Valizadeh as Valizadeh discloses the network protocol is a simple network management protocol version 1 (col 3, lines 16-18).

Claim 40:

Claim 40 recites limitations substantially similar to claim 29 and is rejected for the same reasons. The difference is that Claim 40 recites an apparatus with means for implementing the method of claim 29. Claim 40 also recites means for receiving the encoded, cryptographically processed message from a first computer unit. Wasilewski does not explicitly disclose this limitation, however, such means must exist or the second computer could not have received the message to process.

Claim 44:

Wasilewski discloses wherein the means for decoding the encoded, cryptographically processed message is further provided as the means for decoding the inversely cryptographically processed message (col 23, lines 1-32).

Claim 51:

Wasilewski does not explicitly disclose wherein the network protocol is a simple network management protocol version 1. However, this limitation is obvious to the combination invention of Wasilewski and Valizadeh as Valizadeh discloses the network protocol is a simple network management protocol version 1 (col 3, lines 16-18).

Claim 41:

Claim 41 recites an apparatus with a first computer unit with means recited in claim 39 and a second computer unit with means recited in claim 40. As such, claim 41 is rejected for the same reasons given in claims 39 and 40. Note that claims 39 and 40 do not recite anything about means for sending the encoded cryptographically processed message from the first computer and receiving it at the second computer. However, these limitations must exist in Wasilewski and Valizadeh's combination invention as recited in claims 39 and 40 also otherwise the second computer could not have gotten the message to process.

Claim 43:

Claim 43 recites a limitation substantially similar to the one recited in claim 42 and is rejected for the same reasons.

Claim 45:

Claim 45 recites a limitation substantially similar to the one recited in claim 44 and is rejected for the same reasons.

Claim 52:

Wasilewski does not explicitly disclose wherein the network protocol is a simple network management protocol version 1. However, this limitation is obvious to the combination invention of Wasilewski and Valizadeh as Valizadeh discloses the network protocol is a simple network management protocol version 1 (col 3, lines 16-18).

Claims 36 and 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski et al (US 5,870,470) in view of Valizadeh et al (US 5,678,006) in further view of Pfaff (DE 19548387, translated document PTO 03-4961).

Claim 36:

Wasilewski and Valizadeh do not explicitly disclose forming a set request in the first computer unit upon encoding the cryptographically processed message and transmitting the set request from the first computer unit to the second computer unit. However, Pfaff discloses forming a set request in the first computer unit upon encoding the cryptographically processed message and transmitting the set request from the first computer unit to the second computer unit (Fig 4). It would have been obvious to one of ordinary skill in the art to incorporate Pfaff's teachings into the combination invention of Wasilewski and Valizadeh according to the limitations recited in claim 36. One of ordinary skill would have been motivated to do so as Pfaff discloses his teachings would allow for the common use of a Standard Single-User Application environments that can be located in different places (page 1, paragraph 2, last 3 lines).

Claim 53:

Wasilewski does not explicitly disclose wherein the network protocol is a simple network management protocol version 1 and wherein the means for encoding the cryptographically processed message is configured such that a set request is formed upon the encoding of the cryptographically processed message. However, the network protocol is a simple network management protocol version 1 is obvious to the combination invention of Wasilewski and Valizadeh as Valizadeh discloses the network protocol is a simple network management protocol version 1 (col 3, lines 16-18). Further, Pfaff discloses wherein the means for encoding the cryptographically processed message is configured such that a set request is formed upon the encoding of the cryptographically processed message (Fig 4). Note that this limitation is also obvious to the combination of Wasilewski and Valizadeh as the Valizadeh discloses snmp is used (col 3, lines 16-18).

In light of the above, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have modified Wasilewski and Valizadeh's combination invention according to the limitations recited in claim 53. One of ordinary skill would have been motivated incorporate Pfaff's teachings for the same reason given in claim 36.

Claim 54:

Claim 54 recites a limitation substantially similar to claim 53 and is rejected for the same reasons.

Claims 31-24, 38, 46-49, and 56-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski et al (US 5,870,470) in view of Valizadeh et al (US 5,678,006) in further view of Fujino et al (US 5,651,006).

Claim 31:

Wasilewski and Valizadeh do not explicitly disclose including a request for implementing a prescribable action in the digital message, implementing the prescribable action in the second computer unit to obtain a result of the prescribable action, and sending the result of the prescribable action from the second computer unit to the first computer unit in a reply message. However, the above limitations are met by Fujino (col 6, lines 51-67; col 7, lines 1-12; Fig 2; and Fig 3). In light of this, it would have been obvious to one of ordinary skill in the art to have modified the combination invention of Wasilewski and Valizadeh according to the limitations recited in claim 31. One of ordinary skill would have been motivated to incorporate Fujino's teachings as Fujino discloses that his teachings would allow for managing a large-scale communication network (col 2, lines 48-50).

Claim 32:

Wasilewski discloses:

1. Encoding a message to form an encoded message according to the encoding format of the network protocol to form an encoded message (col 6, lines 19-26 and col 7, lines 12-15).

2. Subjecting the encoded message to at least one cryptographic process to form a cryptographically processed message (col 6, lines 19-26 and col 7, lines 29-37).
3. Encoding the cryptographically processed message according to the encoding format of the network protocol to form an encoded, cryptographically processed message (col 6, lines 19-26 and col 7, lines 51-54).
4. Transmitting the encoded, cryptographically processed message (col 22, lines 62-65).
5. The encoded, cryptographically processed, and encoded message being a reply message, i.e. in response to a customer's request (col 3, line 42-col 4, line 11).

Wasilewski does not explicitly disclose:

1. Including a request for implementing a prescribable action in the digital message.
2. Implementing the prescribable action in the second computer unit to obtain a result of the prescribable action.
3. Forming a reply message which contains the result of the prescribable action in the second computer.
4. The encodings and cryptographic processing for the reply message being done in the second computer unit to for the reply message.
5. Storing the cryptographically processed reply message in the second computer unit.
6. The transmitted message being the reply message from the second computer unit to the first computer unit.

However, Fujino discloses including a request for implementing a prescribable action in the digital message; implementing the prescribable action in the second computer unit to obtain a result of the prescribable action; forming a reply message which contains the result of the prescribable action in the second computer unit (col 6, lines 51-67; col 7, lines 1-12; Fig 2; and Fig 3). One of ordinary skill would be motivated to incorporate Fujino's teachings for the same reasons given in claim 31.

Further, two-way communications between two computers are well known. For a computer to send a reply message to another computer, it must first form and store that reply message. It is also well known for the replying second computer to use the same encoding/encryption protocol to reply to the first computer. One of ordinary skill would be motivated to use the same encoding and encryption protocol for a second computer to reply to a first computer as it is common practice to have two communicating computers use the same communication protocol and to have a uniform security policy between the two computers.

In light of the above, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have modified Wasilewski and Valizadeh combination invention according to the limitations recited in claim 32. One of ordinary skill would be motivated to do so for the reasons given above.

Claim 33:

All of the limitations recited in claim 33 can be found in claim 32 also. As such, the same reasons used to reject claim 32 also applies to claim 33.

Art Unit: 2135

Claim 34:

Wasilewski does not disclose wherein the cryptographically processed reply message is stored in a management information base in the second computer unit. However, this limitation is obvious to the combination invention of Wasilewski, Valizadeh, and Fujino as Fujino discloses the limitation (col 3, lines 19-23).

Claim 38:

Wasilewski does not disclose transmitting as the prescribable action at least one of an information query and an information indication of the second computer unit. However, this limitation is obvious to the combination invention of Wasilewski, Valizadeh, and Fujino as Fujino meets this limitation (col 6, lines 51-67 and col 7, lines 1-12).

Claim 46:

Claim 46 recites limitations substantially similar to claim 31. The difference is that claim 46 is the means version of claim 31.

Claim 47:

Claim 47 recites limitations substantially similar to claim 32 and is rejected for the same reasons. Claim 47 is a means version of claim 32.

Claim 48:

All of the limitations for claim 48 can be found in claim 47 also. As such it is rejected for the same reasons.

Claim 49:

Wasilewski does not disclose wherein the cryptographically processed reply message is stored in a management information base in the second computer unit. However, this limitation is obvious to the combination invention of Wasilewski, Valizadeh, and Fujino as Fujino discloses the limitation (col 3, lines 19-23).

Claim 56:

Wasilewski does not explicitly disclose wherein the digital message contains at least one of an information query and an information particular of the second computer unit in a request for implementing a prescribable action. However, this limitation is met by Fujino (col 6, lines 51-67 and col 7, lines 1-12). It would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have modified Wasilewski and Valizadeh's combination invention according to the limitations recited in claim 56. One of ordinary skill would have been motivated to incorporate Fujino's teachings for the same reasons given in claim 31.

Claim 57:

Wasilewski discloses means for cryptographically processing the encoded message, means for encoding the cryptographically processed message and means for sending the encoded cryptographically processed message (col 6, lines 19-26; col 7, lines 12-54; and col 22, lines 62-65). Wasilewski also discloses means for receiving the encoded cryptographically processed message, means for decoding the encoded cryptographically processed message, and means for inversely cryptographically processing the decoded cryptographically processed message (col 5, lines 34-38 and

Art Unit: 2135

col 23, lines 1-32). Note the means for receiving must exist or the second computer could not process the message.

Wasilewski does not disclose the means formed together as a first and second proxy agent. However, Valizadeh discloses a proxy agent application executing on a computer (col 3, lines 22-29). Note also that Valizadeh explicitly discloses an agent can be an application (col 1, lines 56-59).

In light of the above, it would have been obvious to one of ordinary skill in the art at the time the applicant's invention was made to have modified Wasilewski's invention according to the limitations recited in claim 57. One of ordinary skill would have been motivated to incorporate Valizadeh's teachings because he discloses that his teachings can simplify the development and maintenance of a network node (col 2, lines 27-31).

Claim 58:

Wasilewski discloses a communication system including an apparatus for encoding a digital message which comprises means for performing the steps of a method substantially similar to claim 28. Wasilewski does not explicitly disclose, but Fujino discloses the communication system having a manager of a communication network (Fig 1, item 50) and an intermediate manager of a communication network (Fig 1, items 10a-10c), the communication system employing the communication network and offering further services that proceed beyond services offered by the communication network to customers (col 2, lines 48-58). In light of this, it would have been obvious to modify Wasilewski's invention according to the limitations recited in

Art Unit: 2135

claim 58. One of ordinary skill would have been motivated to incorporate Valizadeh and Fujino's teachings for the same reasons given in claims 28 and 31.

Claim 59:

Wasilewski discloses a communication system including an apparatus for decoding an encoded, cryptographically processed message that is received in an encoding format of a network protocol from a computer unit which comprises means for performing the steps of a method substantially similar to claim 29. Wasilewski does not explicitly disclose, but Fujino discloses the communication system having a manager of a communication network (Fig 1, item 50) and an intermediate manager of a communication network (Fig 1, items 10a-10c), the communication system employing the communication network and offering further services that proceed beyond services offered by the communication network to customers (col 2, lines 48-58). In light of this, it would have been obvious to modify Wasilewski's invention according to the limitations recited in claim 59. One of ordinary skill would have been motivated to incorporate Valizadeh and Fujino's teachings for the same reasons given in claims 29 and 31.

Claim 60:

Wasilewski discloses a communication system including an apparatus as recited in claim 41. Wasilewski does not explicitly disclose, but Fujino discloses the communication system having a manager of a communication network (Fig 1, item 50) and an intermediate manager of a communication network (Fig 1, items 10a-10c), the communication system employing the communication network and offering further services that proceed beyond services offered by the communication network to

Art Unit: 2135

customers (col 2, lines 48-58). In light of this, it would have been obvious to modify Wasilewski's invention according to the limitations recited in claim 60. One of ordinary skill would have been motivated to incorporate Valizadeh and Fujino's teachings for the same reasons given in claims 41 and 31

Claims 37 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski et al (US 5,870,470) in view of Valizadeh et al (US 5,678,006) in further view of Fujino et al (US 5,651,006) and Pfaff (DE 19548387, translated document PTO 03-4961).

Claim 37:

Wasilewski, Valizadeh, and Fujino do not explicitly disclose employing a get request as the fetch message and forming a get response upon the encoding of the requested, cryptographically processed reply message. However, this limitation is obvious to the combination invention of Wasilewski, Valizadeh, and Fujino as the combination invention uses SNMP (see Valizadeh: col 3, lines 22-29 and Fujino: col 3, lines 24-27), which uses a get request and forms a get response. The limitation is also disclosed by Pfaff (Fig 4). It would have been obvious to one of ordinary skill to have modified the combination invention of Wasilewski, Valizadeh, and Fujino according to the limitation recited in claim 37 even if the limitation wasn't implicit to the combination

invention in light of Pfaff's teachings. One of ordinary skills would have been motivated to incorporate Pfaff's teachings for the same reason given in claim 36.

Claim 55:

Wasilewski, Valizadeh, and Fujino do not explicitly disclose wherein the means for forming and encoding the fetch message is configured such that a get request is formed and wherein the means for encoding the cryptographically processed reply message in the fetch message is configured such that a get response is formed. However, this limitation is obvious to the combination invention of Wasilewski, Valizadeh, and Fujino as the combination invention uses SNMP (see Valizadeh: col 3, lines 22-29 and Fujino: col 3, lines 24-27), which uses a get request and forms a get response. The limitation is also disclosed by Pfaff (Fig 4). It would have been obvious to one of ordinary skill to have modified the combination invention of Wasilewski, Valizadeh, and Fujino according to the limitation recited in claim 55 even if the limitation wasn't implicit to the combination invention in light of Pfaff's teachings. One of ordinary skills would have been motivated to incorporate Pfaff's teachings for the same reason given in claim 36.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

Art Unit: 2135

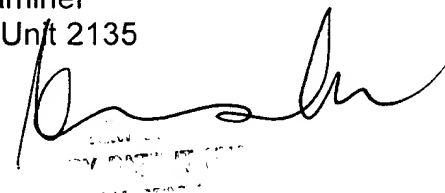
mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ponnoreay Pich whose telephone number is 571-272-7962. The examiner can normally be reached on 9:00am-4:30pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ponnoreay Pich
Examiner
Art Unit 2135



PP